APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/303,057	04/30/1999	KATHERINE GRACE AUGUST	3376/34	7835

7590	07/24/2006

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EXAMINER
OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
		09/303,057	AUGUST ET AL.
Office Action Summary		Examiner	Art Unit
		Michael N. Opsasnick	2626

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 January 2006*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-23* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 5/15/2006 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackmer et

al (5393236) in view of Kuhn et al (6016471).

As per claims 1,15, and 23, Blackmer et al (5393236) teaches a computer allowing a user

to set a pronunciation of a string of characters (Fig. 1 subblock 19) comprising:

"allowing the user to select one or more characters in the string, and retrieving from a

database accessible by the computer a plurality of samples.....retrieved samples" as the user

selecting string and retrieving the pronunciation (col. 19 lines 1-34);

"allowing the user.....samples, storing a first pronunciation record comprising.....selected

by the user" as use storing the user's pronunciation (col. 19 line 50 - col. 20 line 10).

Blackmer et al (5393236) does not explicitly teach training the recognition system for

pronunciations, however, Kuhn et al (6016471) teaches incorporating the pronunciation aspect

into existing systems (abstract, col. 5 lines 10-31). Therefore, it would have been obvious to one

of ordinary skill in the art of pronunciation recognition to modify the teachings of Blackmer et al

(5393236) with training an existing recognition system because it would advantageously provide

useful feedback to the user with respect to pronunciation accuracy (Kuhn et al (6016471), col. 5

lines 25-32).

The combination of Blackmer et al (5393236) in view of Kuhn et al (6016471) teaches

storing the pronunciation data by a computing system for pronouncing the string of characters

(Kuhn et al (6016471), teaches generating a n-best list of pronunciations – fig. 1, label 22,

wherein the pronunciations from the list can be stored and used to create pronunciation

dictionaries, especially during a training phase – col. 5 lines 10-15); furthermore, combination of

Blackmer et al (5393236) in view of Kuhn et al (6016471) teaches user selection/feedback with

respect to desired pronunciations(Kuhn et al (6016471), col. 5 lines 1-10 – wherein a

lexicographer can use the feedback to design their own pronunciation database; and lines 20-25).

As per claims 2 and 16, Blackmer et al (5393236) teaches comprising:

"generating a pronunciation.....outputting the generated pronunciation" as audible output

of the pronunciation (col. 19 lines 40-45)

As per claims 3 and 17, Blackmer et al (5393236) teaches allowing the user to select

another of the displayed samples after audibly outputting the generated pronunciation as

selecting the displayed pronunciation (col. 19 lines 40-45)

As per claims 4 and 18, Blackmer et al (5393236) teaches "allowing the user to select a

second of the displayed samples......selected by the user" as user selecting a second record (col.

19 lines 40-45)

As per claims 5 and 19, Blackmer et al (5393236) teaches "during a text to speech

process.....pronunciation records" as choosing playing the pronunciation record (col. 19 lines 28-

39)

As per claims 6-8, and 20-22, Blackmer et al (5393236) teaches "associating the first and

second pronunciation files with first and second objects,......recognizing a pronunciation of the

string of characters by a user.....associating the first and second pronunciation files with first and

second objects.....pronunciation record" as samples stack, personal stack, and comparing both

(col. 9 lines 36 - col. 10 line 45)

As per claim 9, Blackmer et al (5393236) teaches allowing the user to identify a part of

the character string as a separate syllable.......the identified syllable as storing 2 separate syllables

(col. 22 lines 20-25)

As per claim 10, Blackmer et al (5393236) teaches identifying strings by accents (col. 22

lines 18-31)

As per claim 11, Blackmer et al (5393236) teaches input character string (fig. 10c)

As per claim 12, <u>Blackmer et al (5393236)</u> teaches the user to select the character string (fig. 10c)

As per claim 13, <u>Blackmer et al (5393236)</u> teaches allowing the user to selected a preferred language (Fig. 8)

As per claim 14, <u>Blackmer et al (5393236)</u> teaches selecting a second language (as choosing from multiple languages, Fig. 9)

Response to Arguments

4.   Applicant's arguments filed 5/15/2006 are considered moot in view of the new grounds of rejection. Upon further review of the detailed claim scope of the amended claims, the Kuhn et al reference still applies in teaching the concept of producing multiple pronunciation lists and using these lists to create/update pronunciation dictionaries; and the combination of the Blackmer reference in view of Kuhn et al to address the specifics of the claimed user interface. Examiner also notes the other prior art listed on the PTO-892 form (in particular, Kubota et al (6012028) teaches accessing multiple pronunciations for a given text -- col. 6 lines 30-50+abstract).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see related art listed on the PTO-892 form.
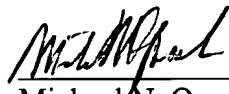
6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
7/20/06

Michael N. Opsasnick
Examiner
Art Unit 2626